



CITY OF DELRAY BEACH
100 NW 1st AVENUE, DELRAY BEACH, FL 33444

AMENDMENT NO. 1 TO
PURCHASE AGREEMENT FOR
SOLICITATION NO. 2017-052 - JANITORIAL SUPPLIES

HOME DEPOT U.S.A., INC.
(FORMERLY INTERLINE BRANDS, INC. D/B/A SUPPLYWORKS)

CITY OF DELRAY BEACH
AMENDMENT NO. 1 TO
PURCHASE AGREEMENT FOR SOLICITATION NO. 2017-052 - JANITORIAL SUPPLIES

THIS AMENDMENT NO. 1 to the Purchase Agreement for Solicitation No. 2017-052 for janitorial supplies dated June 20, 2017, by and between City of Delray Beach, a municipal corporation of the State of Florida (hereinafter referred to as "City"), and Home Depot U.S.A., Inc. (hereinafter referred to as "Supplier"), a Delaware corporation authorized to do business in the State of Florida, is entered into this ____ day of ____, 20__.

WITNESSETH:

WHEREAS, on June 20, 2017, the City entered into a three-year agreement with Interline Brands, Inc. d/b/a Supplyworks (hereinafter referred to as the "Supplyworks") for janitorial supplies (hereinafter referred to as the "Agreement"); and

WHEREAS, on January 28, 2019, Supplyworks sent to the City a Notice of Merger, advising that Interline Brands, Inc. d/b/a Supplyworks will merge into Home Depot U.S.A., Inc. effective February 3, 2019; and

WHEREAS, City desires to formally adopt the company merger, assigning all interests and rights under the Agreement to Supplier from Supplyworks; and

WHEREAS, Supplier agrees to continue to provide services to City in accordance with the terms and conditions of the Agreement.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, the parties do agree that the Agreement is amended as follows:

1. The above recitals are true and correct and are incorporated herein.
2. The Parties agree to amend the Agreement to reflect the company merger of Interline Brands, Inc. d/b/a Supplyworks into Home Depot U.S.A., Inc. The Parties further agree that all references to Interline Brands, Inc. d/b/a Supplyworks are changed respectively to Home Depot U.S.A., Inc.
3. Except as provided herein, all other terms and conditions of the Agreement remain in full force and effect and are hereby confirmed. The Agreement and this Amendment No. 1 represent the entire understanding between the parties on the issues contained herein, either written or oral, and may only be amended by written instrument signed by both parties.

(Remainder of page is intentionally left blank.)

IN WITNESS WHEREOF, the City and Supplier executed this Amendment as of the day and year first above written.

ATTEST:

CITY OF DELRAY BEACH

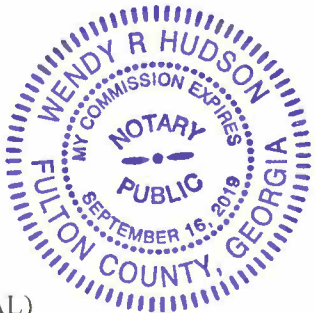
Katerri Johnson, City Clerk

BY:

Shelly Petrolia, Mayor

Approved as to form for legal sufficiency:

Lynn Gelin, Interim City Attorney



(SEAL)

SUPPLIER

By:

Juan P. Bueno
JUAN BUENO

Printed Name

VP PRO SALES

Title

STATE OF Georgia
COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 16 day of February, 2019, by Juan Bueno, as Vice President (name of officer or agent, title of officer or agent), of The Home Depot (name of corporation acknowledging), a Delaware (state or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced _____ (type of identification) as identification.

Wendy R. Hudson
Notary Public – State of Georgia